

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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David E. Patton  
Executive Director

**MEMO ENDORSED**  
Southern District of New York  
James L. Brown  
Attorney-in-Charge

April 15, 2022

**By Email and ECF**

Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**TO BE FILED UNDER SEAL**

**USDC SDNY**  
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**Re: United States v. Jeremy Spence**  
**21 Cr. 116 (LAK)**

Dear Judge Kaplan,

On April 1, 2022, this Court granted my request to adjourn Mr. Spence's sentencing after he had an emergency radical orchiectomy, during which the doctors removed a mass from Mr. Spence's right testicle. At the time I wrote to the Court, I indicated that the mass would require further testing and Mr. Spence might require follow-up treatment.

Mr. Spence's medical records now indicate that the doctors removed a nonseminomatous germ cell tumor and he has been diagnosed with a malignant neoplasm of descended right testis – i.e. testicular cancer. See Attachment 1, Urology Progress Notes. I understand that Mr. Spence returned to his urologist on Tuesday, April 12, 2022 to undergo additional tests, to determine if the cancer has spread beyond the mass that was already removed and to determine if he needs further treatment.

Given these medical developments, I ask that the Court again adjourn sentencing for approximately 30 days. Under the current sentencing schedule, my letter is otherwise due this Tuesday and I do not yet have sufficient information about Mr. Spence's prognosis or potential treatment needs – all of which I believe I must include for the Court's evaluation of the factors under 18 U.S.C. § 3553(a).

The government by Assistant United States Attorney Christine Magdo consents to this request. Thank you for your consideration.

Respectfully submitted,  
/s/  
Sylvie Levine  
Attorney for Mr. Spence

*Sentencing adjourned  
until May 11, 2022 at 4 pm*  
**SO ORDERED**  
*Lewis A. Kaplan*  
LEWIS A. KAPLAN, SDJ  
4/18/22

<sup>1</sup> Given that Mr. Spence's medical condition is discussed herein, I seek to file an unredacted copy under seal. A redacted copy will be filed on ECF.